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DEPARTMENT FOR EUR/SE

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SUBJECT: ECUMENICAL PATRIARCH DISAPPOINTED BY NEW
FOUNDATIONS LAW

REF: A. ISTANBUL 0524

- 1B. 05 ISTANBUL 1825
- 1C. ISTANBUL 1478
- 1D. ISTANBUL 2081
- 1E. ANKARA 6447

Classified By: Consul General Deborah K. Jones for reasons 1.4 (b) and (d)

1. (C) Summary: Ecumenical Patriarch Bartholomew used his November 15 meeting with visiting representatives from the United States Commission on International Religious Freedom (USCIRF) to raise a number of problems facing the Patriarchate, in particular the challenges associated with being denied juridical personality. He lamented empty promises and lost opportunities on the part of the Turkish Government while dispelling any concerns about the possible rise of Islamic extremism in Turkey. Regarding the Pope's visit to Turkey later in November, Bartholomew stated that he is confident the GOT will successfully provide the associated security and informed us that the Pope will quickly tour the Hagia Sophia museum on his way to visiting Armenian Patriarch Mesrob II. The Ecumenical Patriarch remains hopeful on EU accession and the associated benefits it would have for religious freedom and is grateful for the continued support of the United States. End Summary.

NEW LAWS, SAME PROBLEMS

2. (C) His All Holiness Bartholomew described the problems facing the Ecumenical Patriarchate and lamented the lack of GOT willingness to discuss any potential associated resolutions. Among the most significant of these problems--because of its broader implications for other issues--is that despite its nearly 17 century existence, the Ecumenical Patriarchate lacks juridical personality in Turkey. As a result, it cannot receive or possess property. Bartholomew cited the case of the Buyukada Orphanage (ref A), in which the Patriarchate's title to the property was transferred from the Ottoman Empire and renewed by the Turkish Republic, as the one exception (and thus a critical legal precedent) to this situation. A 2004 court decision revoked the Patriarchate's deed and transferred the property to a Greek Orthodox foundation which was taken over by the GOT in 1997. The case is currently pending at the ECHR.

3. (C) The Patriarch also stressed the Halki Seminary dispute with the GOT (ref B) and the resulting inability of the Patriarchate to train members of its clergy--a right accorded to the religious minorities by the Lausanne Treaty. He stated that since the closing of the seminary in 1971, the Patriarchate has had to send candidates to study in Greece but that graduates rarely returned to Turkey. When asked by USCIRF delegation members about his thoughts related to arguments that the reopening of Halki would represent a threat to the secular state, Bartholomew responded that the seminary was open from 1923 to 1971 without it ever being considered a threat. He added that contrary to press reports, the Patriarchate has no desires for the seminary to function independently; it always functioned under the Ministry of Education and the Patriarchate has never objected to such an arrangement. Bartholomew concluded that such arguments are the result of secularist prejudices and fears that opening Halki would lead to Islamic groups demanding the same rights. He noted however, that there are currently 24 schools of theology in Turkey where it is possible to pursue Islamic studies and that no such opportunities exist for the pursuit of Orthodox studies.

4. (C) Bartholomew further discussed the challenges associated with Patriarchal succession and the associated GOT requirement for candidates and electors to possess Turkish

citizenship (ref C). He noted that the Greek Orthodox community in Turkey is down to no more than 4,000 members (Note: Fewer than 2000 by other estimates. End ote.) and that the pool of eligible candidates s extremely limited. He lamented that his proposas to the government in Ankara regarding the possibility of offering Turkish citizenship to a succssor post-election, as was done in 1948 with theelection of Ecumenical Patriarch Athenagoras I, hae gone unanswered. In addition, the Patriarch decribed the challenges faced by deacons at the Pariarchate who are granted nothing more than visior visas by the GOT and must consequently departthe country every three months to renew them.

15. (C) In response to another question about discrination

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against the Greek Orthodox community, Bartholomew replied that indeed the community has suffered as a result of historical disputes between the Turkish and Greek governments. He cited as an example PM Erdogan's frequent reference to there being no mosque in Athens as justification for not moving forward on issues affecting the Patriarchate.

He pointed out that he, as a Turkish citizen, has no control over such matters. Bartholomew stressed his pride in being a Turkish citizen and lamented that despite community members meeting all of their civic obligations, they did not receive their full rights as citizens.

16. (C) Regarding GOT refusal to recognize the Ecumenical nature of his position, Bartholomew stated this is a historic title which has been used since the 6th century and not/not, as some people falsely claim, a political title created by him in order to obtain more power and create a "second Vatican." He added that responsibilities associated with geographical jurisdiction obligate him to use the Ecumenical title and that it belongs to the Church and is not for him to forego. Furthermore, this is only a problem for Ankara as he is addressed throughout the world with this title, including other Muslim countries. As a final point related to this issue, he noted that the Orthodox Church does not permit a Vatican-like arrangement because it believes in the primacy of the Gospel which states, "Render unto Caesar what is Caesar's and to God what is God's."

17. (C) One USCIRF commissioner referenced concerns by some that the ruling Justice and Development Party (AKP) interest in religious freedom is limited to the Muslim community. Bartholomew stated that the Patriarchate was very optimistic when AKP came to power four years ago. According to the Patriarch, several promises and positive statements were made including those by Minister of Education Huseyin Celik, who claimed on more than one occasion that there was no legal obstacle to opening the Halki Seminary. Nevertheless, the school remains closed, indicating, suggests Bartholomew, that there is no political will to open it. Bartholomew also expressed his disappointment with the new law on Foundations passed in the Turkish Grand National Assembly just last week, stating that it does nothing to return property associated with foundations confiscated by the Government.

THOUGHTS ON EXTREMISM, POPE'S VISIT AND EU ACCESSION

18. (SBU) In response to a Commission member's query regarding the threat of growing Islamic extremism in Turkey, the Patriarch replied that there was a greater interest in Islam recently but that this interest did not represent a threat. Rather, he expounded, extremism in all faiths represents a threat to humankind in general. He stressed the Ecumenical Patriarchate's participation and leadership in interfaith conferences to bridge the gap between different beliefs in order to deter such extremism.

19. (SBU) When asked about the Pope's visit later this month, the Ecumenical Patriarch stressed the anticipated arrival of 700 journalists as an indication of the tremendous associated interest in the event (Note: In fact, between 1000 and 2000 are expected, the source of yet another friction - see refs D and E. End note). He said the Papal Nuncio from Ankara had advised on November 14 that the Pope's itinerary had been changed to include a short tour of Hagia Sophia museum on his way to visit the Armenian Patriarch Mesrob II. He added that he had also recently spoken to the Governor of Istanbul and that he has full confidence in the GOT's ability to provide security for all involved, noting that the Government had proven up to the task during President Bush's 2004 visit.

110. (C) The Patriarch expressed his continued advocacy for EU accession and was particularly appreciative of U.S. support in this regard. He acknowledged that despite some positive reforms over the last three years much remained to be done and that it was time for Turkey to take some courageous steps and to face the modern world and the EU with an open mind by adapting to reality. In response to a Commissioner's query about how the United States can be more helpful in promoting

religious freedom in Turkey, he recognized that the United States is a close ally of Turkey and requested that the USG continue to try to convince the GOT that taking positive steps to resolve the Patriarchate's problems does not represent a threat but rather a benefit to the stability of the Turkish nation.

11. (C) Comment: While the problems identified by the

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Ecumenical Patriarch are not new, his disillusionment with respect to his earlier expectations of the AKP leadership is notable, particularly with regard to the new Law on Foundations and the absence of a related mechanism to return confiscated property associated with foundations that have been taken over by the GOT. The added venue in the Pope's schedule may also complicate Bartholomew's position here and fuel speculation regarding his original purpose in welcoming the Pope to Turkey. The symbolism of the Pope visiting the Hagia Sophia, the former seat of Eastern Orthodoxy, immediately following the signing of a joint statement by the Archbishops of Rome and Constantinople, divided since the "Grand Schism" of 1054, is likely to be weighed by many in Turkey and throughout the Muslim world against what the Bishop of Rome does or does not say in order to inspire rapprochement with the followers of Mohammed. End comment.

JONES